THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.18226 of 2006

Between:

Smt.V.Pavani and another. … Petitioners

and

The Station House Officer, Malkajgiri and another. … Respondents

ORDER:

The petitioner seeks to issue a Writ of Mandamus declaring the action of the 1st respondent in not registering the case basing on the complaint, dated 08-05-2006, as illegal and arbitrary.

I am of the opinion that whenever any written intimation has been made by the complainant alleging that cognizable offence has been committed and if no crime is registered by the concerned Station House Officer, there is an effective alternative remedy under the code of criminal procedure for filing private complaint under Section 200 read with Section 190 Cr.P.C. before the concerned Magistrate. Apart from that, make a representation before the superior officials for taking departmental action against the concerned Station House Officer for dereliction of duties.

However, the issue raised in this writ petition is squarely covered by the judgment of this Court in W.P.No.21709 of 2005 and batch, dated 06-02-2007.

Following the said judgment, this writ petition is dismissed. However, it is open for the petitioner to approach concerned Criminal Court for filing private complaint. There shall be no order as to costs.

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06-08-2007

Prv